(55)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 3599 of 2007

PETITIONER : Ashlam Khan S/o Late Faiyaz Khan, age – 49 years, R/o Police Line, Tahsil – Distt. – Bilaspur [C.G.]

VERSUS

RESPONDENTS :
1. Union of India, Through Secretary Department of personnel and Training, Govt. of India, New Delhi.
2. Director, Department of personal and Training, Govt. of India, New Delhi.
3. State of Chhattisgarh, Through – Secretary, Department of Home, D.K.S. Bhawan, Raipur [C.G.]
4. State of M.P., Through : Secretary, Home Department, Vallabh Bhawan, Bhopal [MP]
5. Secretary, State Reorganization Cell Dept. of General Administration Govt. of M.P., Vallabh Bhawan, Bhopal [M.P.]
6. Director of Public Instruction, M.P. Gautam Nagar, Bhopal.
7. Director of Public Instruction Chhattisgarh, Pension Bara, Raipur [C.G.]
8. Superintendent of Police, Distt. – Bilaspur [C.G.]

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri Ravish Verma, Advocate for the petitioner.
Shri S.K.Beriwal, Standing Counsel for the Union of India.
Shri Sumesh Bajaj, Advocate for the State.

ORDER

(Passed on 27th day of June, 2007)

1. By this petition filed under Article 226 of the Constitution, the petitioner challenges the legality and validity of the order dated 23.07.2002 (Annexure P/1) passed by the Government of India, Ministry of Personnel, Public Grievances & Pension, in exercise of its power under Section 68 sub Section (2) of the Madhya Pradesh State Re-organization Act, 2000, whereby the service of the petitioner, by the said order, has been allocated to the State of Chhattisgarh.

(56)

2. The petitioner impugns the above order on the ground that the he is a bonafide and permanent resident of District - Ujjain, State of Madhya Pradesh so his services should not be allocated to Chhattisgarh.

3. Be that as it may, the Government of India has exercised its power after having considered all the aspects by passing the order of allocation. The said order has attained finality. The petitioner has not pointed out any irregularity, illegality, discrimination or unreasonableness, or procedural error in the impugned order. Thus, no interference is warranted. There is no semblance of any right and breach of the same thereof. Accordingly, the petition is dismissed, summarily.

Sd/-
Satish K. Agnihotri
Judge

Amit